

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN CASHMAN**

Plaintiff

v.

**CNA FINANCIAL CORP,**

and

**CONTINENTAL CASUALTY COMPANY,**

Defendants

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**Civil Action No. 08-5102**

**JURY TRIAL DEMAND**

**ORDER**

And Now, upon consideration of the Plaintiff's Motion to Compel, it is hereby ordered that Plaintiff's motion is GRANTED. Within ten (10) days, defendants will produce to Plaintiff the outstanding discovery.

Date:

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U.S.D.J.

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**Civil Action No. 08-5102**

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**PLAINTIFF'S AMENDED FIRST MOTION TO COMPEL**

Plaintiff, John Cashman, hereby moves this Honorable Court to amend his First Motion to Compel based on the reasons asserted in Plaintiff's Brief in Support of Motion to Compel and exhibits attached thereto.

Respectfully submitted,

Date: August 26, 2009

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Carmen R. Matos, Esquire  
Anita F. Alberts, Esquire  
Attorneys for Plaintiff,  
John Cashman

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**Civil Action No. 08-5102**

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**PLAINTIFF'S BRIEF IN SUPPORT OF AMENDED FIRST MOTION TO  
COMPEL**

On August 24, 2009, plaintiff filed his First Motion to Compel. Plaintiff's counsel noticed some errors in his exhibits upon reading the filed documents. The errors are due to technical difficulties and plaintiff apologizes to the court and counsel. Plaintiff has no objection to an additional two days for defendants' response to be filed. Plaintiff hereby moves this court to file exhibits **2, 4, 5, 6, 7, 8, and 9** to his First Motion to Compel, which were inadvertently not included in his filing. These exhibits should replace the numbered exhibits filed on August 24 with the same number. The court was provided with two courtesy copies and the court's copies are correct. Plaintiff relies on his brief in support of motion filed August 24, which includes the correct exhibits numbered in the body of his brief.

8/26/09

Respectfully submitted,

/s/ Carmen R. Matos, Esquire  
Anita Alberts, Esquire  
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Doylestown, PA 18901  
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(215) 345-8551 fax  
Attorneys for Plaintiff, Mr. John Cashman

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the following legal papers were served upon:

Richard Antonelli, Esquire  
Rebecca Dick-Hurwitz, Esquire  
Babst, Calland, Clements, Zomner  
Two Gateway Center  
Pittsburgh, PA 15222  
[rantonelli@bccz.com](mailto:rantonelli@bccz.com)  
[rdick-hurwitz@bccz.com](mailto:rdick-hurwitz@bccz.com)

in the following manner:

Legal Papers: Amended Motion, Brief, to file supplemental exhibits  
in Support of First Motion to Compel, Exhibits 2, 4,  
5, 6, 7, 8, 9 and Certificate of Service

Manner: ECF

Date: August 26, 2009

By/s/\_\_\_\_\_  
Carmen R. Matos, Esquire  
Attorney for Plaintiff  
Mr. John Cashman